UNITED STATES DISTRICT COURT

for

EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

U.S.A. vs. Donuatte M. Wilkerson   **Docket No. 5:11-MJ-1552-1**

Sealed Petition for Action on Conditions of Pretrial Release

COMES NOW Matthew Smith, probation officer of the court, presenting an official report upon the conduct of defendant, Donuatte M. Wilkerson, who was placed under pretrial release supervision by the Honorable James E. Gates, U.S. Magistrate Judge, sitting in the Court at Fayetteville, NC, on the 13th day of September, 2011, under the following conditions:

- Report to the probation office or supervising officer as directed.

- Refrain from any use of alcohol.

- Refrain from use or unlawful possession of a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner.

- Submit to any testing required by the pretrial services office or the supervising officer to determine whether the defendant is using a prohibited substance. Any testing may be used with random frequency and include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing. The defendant must refrain from obstructing or attempting to obstruct or tamper, in any fashion, with the efficiency and accuracy of any prohibited substance testing or monitoring which are required as a condition of release.

- Participate in a program of inpatient or outpatient substance abuse therapy and counseling if the pretrial services office or supervising officer considers it advisable.

- Participate in the following location monitoring program component and abide by its requirements as the supervising officer instructs. You are restricted to your residence as directed by the supervising officer.

- Report as soon as possible to the supervising officer any contact with law enforcement personnel, including, but not limited to, any arrest, questioning, or traffic stop.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On October 11, 2011, the defendant submitted a urine sample that was positive for the presence of cocaine. On February 16, 2012, the defendant submitted a urine sample that was positive for the presence of marijuana. The defendant has denied any drug use since supervision began. Additionally, on February 15 and 23, 2012, the defendant was not in compliance with his curfew. He had been directed to remain at his residence unless at work. He had been instructed to contact the probation office to report any time he would be leaving for work purposes. He did not call and was not home during home visits conducted by the probation officer on both of these dates. Additionally, on February 23, 2012, a written message was left in the door at his residence for the defendant to contact the probation office immediately. The defendant has failed to contact the probation office.

PRAYING THAT THE COURT WILL ORDER that a warrant be issued for the defendant's arrest and that a bond hearing be scheduled following his apprehension to determine if the defendant's bond should be revoked**.** It is recommended that this petition and order be placed under seal until execution of the warrant. The purpose of sealing this document is to facilitate officer safety and to disallow the defendant's knowledge of issuance of the warrant. The clerk shall provide a copy of the petition and warrant to the U.S. Probation Office and the U.S. Attorney's Office.

Reviewed and approved,	I declare under penalty of perjury that the foregoing is true and correct.
/s/ Robert K. Britt	/s/Matthew Smith
Robert K. Britt	Matthew Smith
Senior U.S. Probation Officer	U.S. Probation Officer
	310 Dick Street
	Fayetteville, NC 28301-5730
	Phone: (910) 483-8613
	Executed On: February 24, 2012

ORDER OF COURT

Considered and ordered this 27 day of   February , 2012, and ordered filed and made a part of the records in the above case.

James E. Gates
United States Magistrate Judge